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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,871	11/16/2001	Syed Abdulkader El Shariff Bin Mohamed Alhadad	70751	2339
27975 7590 09/24/2007 ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791			EXAMINER ELAHEE, MD S	
			ART UNIT 2614	PAPER NUMBER
			NOTIFICATION DATE 09/24/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

creganoa@addmg.com

## Office Action Summary

Application No.

09/990,871

Applicant(s)

MOHAMED ALHADAD ET AL.

Examiner

Md S. Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 21-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is responsive to an amendment filed on 07/09/2007. Claims 21-49 are pending. Claims 1-20 have been previously cancelled out.

### ***Response to Arguments***

2. Applicant's arguments in the 07/09/2007 Remarks have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

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5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 21-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rogers et al. (U.S. Patent No. 5,946,386) in view of Wolff et al. (U.S. Patent No. 5,774,887).

As to Claims 21,33,45, with respect to Figures 1 and 6-7, Rogers teaches for use in a call service facility in which a call agent is in live voice communication with a party situated at a location other than said facility, said call agent being equipped with and using a computer workstation, said computer workstation including a keyboard and visual display interface accessible to the call agent and coupled with a voice message storage and retrieval mechanism (Figure 1, labels 111,114 and Figure 6; Col. 2, lines 50-58), said live voice communication being necessary to accomplish the primary purpose of a call, said primary purpose being the collection of information from said party that is entered into a form containing a plurality of objects ("Add", "Delete" or checking box of Figure 7 are the claimed objects, see Col. 36, lines 46-50) and displayed on said visual display interface through execution of a call management [i.e., forms-based target] application program, a method of automatically supplying one or more voice messages to said party, said method comprising the steps of: (Note; since the call management

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application program displays forms (see fig.7), the call management application program is the claimed “forms-based target application program”).)

(a) storing one or more pre-recorded voice messages in said voice storage and retrieval mechanism that may be played back to said party in response to a voice message selection signal applied thereto (Col.14, lines 25-32, Col.31, lines 60-67);

(b) providing a call management computer (fig.1, label 101) [i.e., target application enhancement mechanism] that is linked with and executed as an enhancement to said call management [i.e., forms-based target] application program, said target application enhancement mechanism being operative, in response to said call agent performing, in association with said live voice communication with said party, a prescribed interaction with one or more selected objects displayed on said visual display interface of said computer workstation (fig.1, label 101) by said forms-based target application program, to automatically trigger one or more actions (Col. 29, lines 59-67, Col.31, lines 60-67), in addition to those performed by said forms-based target application program in response to such prescribed interaction, including automatic generation of said voice message selection signal, so as to cause automatic playback, by said voice message storage and retrieval mechanism to said party, of one or more of said pre-recorded voice messages, or other pre-defined action, at one or more appropriate junctures during said call (abstract; Col. 29, lines 59-67, Col. 31, lines 11-15,45-50,60-67). (Note; examiner considers the claimed “or” in line 33 of the claim 21 as simple alternative “or”; and if, examiner proves any one of the alternatives is prior art; then what claim teaches is read on the prior art. In this

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instance, only the claimed “one or more of said pre-recorded voice messages” is read on the prior art.)

However, Rogers does not specifically teach the collection of information from the calling party that the agent enters into a form. Wolff teaches the collection of information from the calling party that the agent enters into a form (col.3, lines 44-62, col.7, lines 5-17, col.8, lines 13-55, col.10, lines 58-67, col.11, lines 1-18). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rogers to incorporate the feature of entering capability of an agent of information collected from the calling party as taught by Wolff. The motivation for the modification is to have doing so in order to provide a user an online help by allowing him/her to efficiently fill in the form.

As to Claims 22,34,46, Rogers teaches the method according to claim 21, wherein said target application enhancement mechanism is operative to automatically trigger said one or more actions, in addition to those performed as a result of execution of said forms-based target application program, without access to source code of said forms-based target application program (Figure 6 and Col. 31, lines 60-67).

As to Claims 23,35,47, Rogers teaches the method according to claim 22, wherein said target application enhancement mechanism is operative to perform at least one of hooking and subclassing actions with respect to said forms-based target application program (Col. 32, lines 9-20).

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As to Claims 24,36, Rogers teaches the method according to claim 21, wherein said voice storage and retrieval mechanism is operative to automatically play back said one or more pre-recorded voice messages in the voice of said call agent, so that it appears to said party that said call agent is speaking said one or more pre-recorded voice messages (Col. 37, lines 8-18).

As to Claims 25,37, Rogers teaches the method according claim 21, wherein said prescribed interaction performed by said call agent with said one or more selected objects displayed on said display interface of said computer workstation by said forms-based target application program includes manipulation of a selected object on said visual display interface (Col. 31, lines 44-50).

As to Claims 26,38, Rogers teaches the method according to claim 21, target application enhancement mechanism is operative, in response to said call agent performing said prescribed interaction with one or more selected objects displayed by said visual display interface, to cause said voice message storage and retrieval mechanism to play back respectively different voice messages requesting said party to supply respectively different information components associated with said one or more selected objects (Col. 31, lines 45-50 and Col. 37, lines 8-18).

As to Claims 27, 39, Rogers teaches the method according to claim 21, wherein said target application enhancement mechanism is operative to cause said visual display interface to display

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a text message associated With the playback of said one or more selected voice messages to said party (Col. 38, lines 29-34).

As to Claims 28, 40, Rogers teaches the method according to claim 21, wherein said target application enhancement mechanism is operative to modify the appearance of a selected object with which a voice message to be played back to said party is associated, on said visual display interface (Col. 38, lines 29-40).

As to Claims 29, 41, Rogers teaches the method according to claim 21, wherein said target application enhancement mechanism is operative to cause said visual display interface to modify a text message displayed thereby (Figure 7; Col. 36, lines 56-62).

As to Claims 30, 42, Rogers teaches the method according to claim 21, wherein said voice message is effective to cause said party to voice information that is subsequently entered by said call agent into one or more fields of said form displayed on said visual display interface of said computer workstation (Figure 7; Col. 31, lines 44-49, Col. 36, lines 56-62).

As to Claims 31, 43, 48, Rogers teaches the method according to claim 21, wherein said target application enhancement mechanism is operative to cause said visual display interface to display an object in addition to objects displayed thereby as a result of execution of said forms-based target application program (Figure 7; Col. 36, lines 56-62).



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As to Claims 32, 44, 49, Rogers teaches the method according to claim 21, wherein said target application enhancement mechanism is operative to modify the appearance of one or more selected objects displayed on said display interface of said computer workstation by said forms-based target application program (Figure 7; Col. 36, lines 56-62).

### *Conclusion*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Md. Shafiqul Alam Elahee*

MD SHAFIUL ALAM ELAHEE

Examiner

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September 14, 2007